

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**THE BROOKS GROUP &  
ASSOCIATES, INC.**  
Plaintiff

v.

**WENDI LEVIGNE, et al.,**  
Defendants

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**CIVIL ACTION  
12-2922**

**ORDER**

**AND NOW**, this 15th day of April 2014, upon consideration of Plaintiff's, Defendants', and Third-Party Defendant's Motions for Summary Judgment and responses thereto, for the reasons in the accompanying Memorandum Opinion, it is hereby **ORDERED** that:

1. The Brooks Group's Motion (Doc. No. 58) is **GRANTED** as to Defendants' unjust enrichment claim (Count II of the Amended Counterclaim) and the constitutional invasion of privacy claim (Count VI of the Amended Counterclaim) and **DENIED** in all other respects;

2. Paul Brooks's Motion (Doc. No. 90) is **GRANTED** as to the constitutional invasion of privacy claim (Count III of the Third Party Complaint) and **DENIED** in all other respects;

3. Defendants' Motion (Doc. No. 55) is **GRANTED in part and DENIED in part** as to Count I of the Complaint as stated in the accompanying Memorandum Opinion. Defendants' motion is **DENIED** as to Counts I and II of Defendants' Counterclaims. Defendants' motion is **GRANTED** in all other respects;

4. Within **21 days** of the entry of this Order, the parties shall inform the Court in writing whether the case is settled. In the event the case is not settled, counsel shall include in their report a statement as to whether they believe a settlement conference before a magistrate judge, mediation under Local Civil Rule 53.3, or some other form of alternative dispute resolution might be of assistance in resolving the case and, if so, on what form of alternative dispute resolution they agree and by what date they will be prepared to commence such proceedings.

If the parties do not wish to engage in alternative dispute resolution, they shall provide the Court with a joint proposed schedule for trial on the remaining claims.

**IT IS SO ORDERED.**

**BY THE COURT:**  
**/s/ Cynthia M. Rufe**

**CYNTHIA M. RUFÉ, J.**